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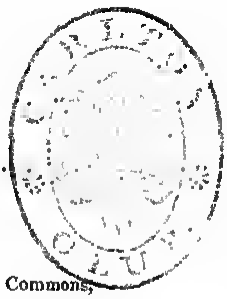

ST. NICHOLAS CHURCH (DUBLIN).

RETURN to an ORDER of the Honourable The House of Commons, dated 13 July 1843;—*for*,

COPY of the CORRESPONDENCE which took place between the Ecclesiastical Commissioners for Ireland, and the Dean and Chapter of St. Patrick's Cathedral, Dublin, in reference to the pulling down of the Church of St. Nicholas Within, in that City.

Ordered, by The House of Commons, *to be Printed*, 23 *February* 1844.

— No. 1. —

Royal Chapter House, St. Patrick's Cathedral,
Dublin, 25 February 1837.

Sir,

I BEG leave to transmit you a copy of an order made by the Dean and Chapter respecting the taking down of the parish church of St. Nicholas within the Walls, and the disposal of the materials thereof, as they are advised that the property in that church belongs to them as rector, not being aware of any law to the contrary.

And I am directed to request that you will have the accompanying copy of their order laid before the Ecclesiastical Commissioners for Ireland, that the Dean and Chapter may be informed upon what authority they have acted in this respect; and that, if the Commissioners have acted under the provisions of a statute, the Dean and Chapter may be particularly referred to the Act, chapter, and section of such enactment.

I have, &c.
(signed) *Samuel P. Lea*,
Registrar.

Rev. James Wilson, D.D.
Sec^y to the Ecclesiastical Commissioners
for Ireland.

ACTS had, sped, and despatched in the chapter house of the collegiate and cathedral church of St. Patrick, Dublin, on Friday, the 24th February 1837, before the Very Rev. the Dean, and the Rev. the Chapter.

Upon which day and place, the Dean informed the Chapter that the church of St. Nicholas within the Walls has been lately taken down by the directions of the Ecclesiastical Commissioners for Ireland, and that he had heard with surprise and indignation that the materials and furniture of the church have been disposed of, the pews to the proprietor of a common whiskey or public house, who has fitted up a taproom with them, where the numbers of the pews are still visible; and that the communion table, altar piece, and windows have been sold for the use of the new Popish chapel of Baldoyle, in the county of Dublin, whither they were removed in triumph.

It was thereupon ordered, That the registrar do write to the secretary to the Ecclesiastical Commissioners for Ireland, to request he will inform the Dean and Chapter by what authority the Ecclesiastical Commissioners have acted in this respect; and that he do transmit to the secretary a copy of the Acts of the present Chapter, to be laid before the Commissioners.

(signed) *Samuel P. Lea*, Registrar.

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— No. 2. —

10 March 1837.

Sir,

THE copy of the order made on the 24th ultimo, by the Dean and Chapter of St. Patrick's Cathedral, Dublin, respecting the taking down of the parish church of St. Nicholas within the Walls, as transmitted by your letter of the 25th, has been laid before the Board of the Ecclesiastical Commissioners for Ireland; and I enclose to you a copy of the Minute made upon the subject, for the information of the Dean and Chapter, as I have been directed by the Board.

I have, &c.
(signed) *J. Wilson*,
Secretary.

Samuel P. Lea, Esq.
Registrar of St. Patrick's, Dublin.

MINUTE above alluded to.

ORDERED,—"That the secretary be directed to acquaint the registrar, for the information of the Dean and Chapter, that in consequence of urgent and frequent applications made by the incumbent, churchwardens, and parishioners, representing the dangerous and dilapidated state of this church, which so far back as the time of Archbishop Magee formed the subject of complaint, insomuch that the parishioners were afraid to resort to it for the purpose of Divine service,—the Commissioners were at length induced, on the report of their architect, who stated his apprehensions of part of it falling into the street, to order it to be taken down, and the old materials sold by auction; which order was made with the approval of the present Archbishop, and the church was accordingly taken down, notice having previously been given in the public papers of their intention, and the materials were sold on account of the expense, except the pulpit and communion table, which were deposited with the verger and beadle of St. Patrick's, with the concurrence of the Dean. The Commissioners having thus given full notice of their intention in this behalf, conceive that if there were any valid objection to their proceeding, or any other mode could be pointed out by which the lives of individuals might be saved in the event of any part of this church falling into the street, it would have been proper to have remonstrated at the time on the subject."

— No. 3. —

Royal Chapter House, St. Patrick's Cathedral,
Dublin, 17 March 1837.

Sir,

I HAVE laid your letter of the 10th instant, together with the Minute of the Board of the Ecclesiastical Commissioners for Ireland, of the 9th, respecting the taking down of the church of St. Nicholas within the Walls, before the Dean and Chapter, assembled this day; and I am directed to state, that they by no means consider either your letter, or the Minute referred to, afford an answer to my letter of the 25th ult.

I am therefore respectfully to request that the Board may be pleased to state the authority under which they caused the church to be taken down, and the materials sold (with the exception of the pulpit and the communion table), as stated in the Act of Chapter and my said letter. And I am further to observe, that if the Commissioners had no statutable authority (for they could have had no other) for acting as they have done, and that it appears now that they gave directions for taking down the church, &c. through mistake, inadvertency, or in ignorance of the rights of the Dean and Chapter, the patrons and rectors, I am to convey to them, through you, the respectful but earnest remonstrance of the Dean and Chapter against their act in this respect, and to request that the

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the Commissioners may acknowledge the fact, and give immediate directions to have the church speedily rebuilt, so that this unpleasant and novel matter may drop here; otherwise the Dean and Chapter will be bound, by their sworn obligations, to assert their rights and maintain their undoubted privileges at law, which they are advised they can do successfully by that course: but constituted as the Ecclesiastical Board is, amongst whom are many estimable and exalted characters, the Dean and Chapter would adopt the alternative with great reluctance and regret.

I have, &c.
(signed) *Samuel P. Lea*, Registrar.

Rev. James Wilson, D. D.
Secretary Ecclesiastical Board.

— No. 4. —

Royal Chapter House, St. Patrick's Cathedral,
Dublin, 18 April 1837.

Sir,

I AM directed to request that you will inform the Ecclesiastical Commissioners for Ireland, that my letter of the 17th ult., respecting the taking down and disposal of the materials of the church of St. Nicholas within the Walls, the rectory and patronage of which belong to the Dean and Chapter of this church, is still unanswered.

I have, &c.
(signed) *Samuel P. Lea*, Registrar.

Rev. James Wilson,
Secretary Ecclesiastical Board.

Sir,

2 May 1837.

I AM directed by the Ecclesiastical Commissioners for Ireland, in reference to your letters of the 18th ult. and of the 10th of March, to state to you, for the information of the Dean and Chapter of St. Patrick's, that they caused the church of St. Nicholas Within to be taken down on the application of the incumbent and parishioners, the Archbishop of Dublin having given his sanction to the proceeding, upon an official report on the subject, made to his Grace by the provincial architect. It was the purpose of the Commissioners, in ordering the taking down of this church, to rebuild the parish church as soon as they should be in possession of funds which could with propriety be applied to this object; and such continues to be their intention. The Commissioners have no doubt that they were fully justified in law in taking down this church under the circumstances stated, and also in selling the materials. In the view of the Commissioners, the proceeds of the sale of the materials, after deducting the expense of taking down the church, would have been the property of the parish, to be applied to the erection of a new church. The proceeds of the sale in this case have formed a very inconsiderable part of the expense of taking down the church.

I have, &c.
(signed) *J. Wilson*, Secretary.

Samuel P. Lea, Esq.
Royal Chapter House.

Royal Chapter House, St. Patrick's Cathedral,
Dublin, 12 May 1837.

Sir,

REFERRING to your letter of the 2d instant, in which you state "that the Commissioners caused the church of St. Nicholas Within to be taken down on the application of the incumbent and parishioners, the Archbishop of Dublin having given his sanction to the proceeding, upon an official report on the subject to his Grace by the provincial architect;"

 I am

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I am to convey to you the request of the Dean and Chapter that they may be furnished with copies of the applications referred to; also (if consistent with the practice of the Commissioners) a copy of the official report of the provincial architect.

I am further to observe that the Dean and Chapter, who are the incumbents and rectors of St. Nicholas Within, are not aware that they have ever applied to the Ecclesiastical Commissioners for the taking down of that church.

As the Dean and Chapter always act above board, they think it right to acquaint the Commissioners that they require the documents alluded to for the purpose of taking further advice from counsel what measures they are to adopt in this matter.

I have, &c.
(signed) *Samuel P. Lea*, Registrar.

Sir, 16 May 1837.

In reference to your letter of the 12th instant, requesting, by direction of the Dean and Chapter of St. Patrick's, to be furnished with copies of the application of the incumbent and parishioners of St. Nicholas Within, for taking down the church of that parish, and of the official report on the subject by the provincial architect; I am directed by the Ecclesiastical Commissioners for Ireland to state to you, for the information of the Dean and Chapter, that it is contrary to the practice of the Board to furnish the documents requested by your letter.

I have, &c.
(signed) *J. Wilson*,
Secretary.

Samuel P. Lea, Esq.
&c. &c. &c.

Royal Chapter House, St. Patrick's Cathedral,
Dublin, 19 May 1837.

Sir,

Referring to your letter of the 16th instant, stating that it is contrary to the practice of the Board to furnish the documents requested by my letter of the 12th instant, I am, in reply, to observe, that as the Dean and Chapter are thus precluded from obtaining those documents which are stated to have warranted the Commissioners in taking down the church of St. Nicholas Within, and of disposing of the materials to Popish and unseemly purposes, as stated in my former communication with your Board, they have only now to try some other mode of procuring them, in order that they may defend their undoubted and just rights.

I have, &c.
(signed) *Samuel P. Lea*,
Registrar.

Rev. James Wilson,
Secretary Ecclesiastical Board.

(A true copy.)
(signed) *Thos Bushe*,
Secretary.

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